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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: )  
)  
Mehrzad Movassaghi ) Customer No. 32084  
)  
Serial No.: 10/530,014 ) Atty No. 1491-148  
)  
Filing Date: October 1, 2003 )  
) Petitions Examiner:  
) Richard M. Ross  
Title: MULTIPLE PLATE )  
COMBUSTOR )

---

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C.  
U.S.A. 20231

Dear Mr. Ross:

SECOND RENEWED PETITION UNDER 37 CFR 1.47(b)

Pursuant to 37 CFR 1.47(b), Applicant hereby requests reconsideration of the dismissal, without prejudice, of Applicant's Renewed Petition filed May 31, 2006.

Please find attached the following documents:

1. Declaration of Abolghassem Aghtai, President of Fama Holdings Ltd. on behalf Mehrzad Movassaghi, the non-signing inventor including an executed Declaration and Power of Attorney with identification of the person signing on behalf of Fama Holdings Ltd. and his office.
2. Copies of the Canadian legal decisions mentioned in the Memorandum of Law of Mark Pospisilik, solicitor for Fama Holdings Ltd.

Accordingly, Applicant respectfully request  
reconsideration of the decision.

This request for reconsideration is submitted in the  
belief that no fee is required.

Respectfully submitted,

Dated: Sept 6 / 06

By: C. Vermette  
Clifford W. Vermette  
Reg. No. 30,018  
Attorney for Applicant

Vermette & Co.  
Box 40 Granville Square,  
Suite 230, 200 Granville Street  
Vancouver, British Columbia,  
V6C 1S4 Canada

Tel: (604) 331 0381  
Fax: (604) 331 0382



IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

In re the Application of: )  
Mehrzad Movassaghi ) Attorney Docket No. 1491-148  
Serial No.: 10/530,014 )  
Filing Date: 10/01/2003 )  
Priority Date: 10/01/2002 )  
Entry Date: April 2, 2005 )  
Int'l Appln. No.: PCT/CA03/01514 )  
Title: MULTIPLE PLATE COMBUSTOR )

---

August 11, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**DECLARATION**

I, Abolghassem Aghtai, President of Fama Holdings Ltd., declare as follows:

1. I have been an officer of Fama Holdings Ltd. (hereinafter called "Fama") from at least as early as October 1, 2002 up until the present time.
2. The principals of Fama first became acquainted with Dr. Mehrzad Movassaghi and Powertech Industries Inc. (Powertech) on or about 1995 when Dr. Movassaghi introduced Fama to a combustor he had been working on. At the time Dr. Movassaghi was a shareholder and president of Powertech, the company through which initial development of the combustor was carried out. I believe that the primary purpose of Dr. Movassaghi's employment with Powertech was to develop the combustor. Dr. Movassaghi had no employment agreement or technology assignment agreement with Powertech. Fama became interested in the concept and decided that Fama should become involved in supporting the further development of the combustor. Sixty percent of the issued and outstanding shares of Powertech were acquired by Fama.
3. The principals of Fama caused a wholly owned B. C. Company by the name of Gasmaster Industries Inc. (Gasmaster) to be incorporated and had all further development work on the combustor done by Gasmaster. Dr. Movassaghi was hired as a consultant to Gasmaster and charged with the job of developing the combustor into a commercially acceptable product. Dr. Movassaghi reported to me.
4. Dr. Movassaghi was to participate in the further development of the combustor with all of the patent applications being filed in the name of Powertech. Dr. Movassaghi cooperated in making these filings including executing the Declaration and Power of Attorney document, a copy of which is annexed hereto to this my Declaration and marked as Exhibit A. Exhibit A identifies Powertech as the owner of the patent rights in the Multiple Plate Combustor. It was Powertech's intention to exploit the Multiple Plate Combustor as part of a commercial boiler system. Dr. Movassaghi worked on the boiler system and was aware of our intention to exploit the patent rights.

5. Dr. Movassaghi was paid on a regular basis by Gasmaster. He was free to use and did use Gasmaster's employees and facilities and obtained supplies through Gasmaster for his development work. Legal fees for preparation and prosecution of patent applications for the Multiple Plate Combustor were paid by Gasmaster and Powertech. Vermette & Co., the agents charged with preparing and prosecuting the patent applications took instructions from Gasmaster and Powertech. Both Gasmaster and Powertech were funded solely by Fama.

6. On or about September, 2004, the employment of Dr. Movassaghi by Powertech was terminated due to significant and irreconcilable differences.

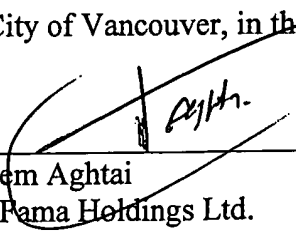
7. On September 30, 2004, Powertech, Gasmaster and Fama entered into an agreement under which Fama was to acquire on closing (November 30, 2004) and did acquire all of the Intellectual Property, namely, all patents and patent applications of Powertech. In return Fama forgave \$900,000 of Powertech debt and paid off all Powertech and Gasmaster debt and discharged all of Powertech's liabilities.

8. Copies of the first 4 pages of an Agreement for Purchase and Sale of Assets corresponding to this sale are annexed to this my Declaration and marked as Exhibit B. Assignments from Powertech to Fama are presently being secured for various countries in which patent applications have been filed and these executed assignments will be filed shortly.

9. Granting of the present petition is necessary to preserve the rights, of the parties or to prevent irreparable damages.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Declared this 11 day of August, 2006 in the City of Vancouver, in the Province of British Columbia, Canada.

  
\_\_\_\_\_  
Abolghassem Aghtai  
President, Fama Holdings Ltd.



Docket No. 1491-148

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name,

I believe I am a joint inventor of the subject matter, which is claimed and for which a patent is sought on the invention entitled:

### **MULTIPLE PLATE COMBUSTOR**

the specification of which (*check one*):

☐ is attached hereto.

☒ (X) was filed on \_\_\_\_\_, as Application Serial No. 10/530,014.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>T02002A00850</u>	<u>Italy</u>	<u>1/October/2003</u>	<u>X</u>	
(number)	(country)	(day/month/year filed)	yes	no

I hereby claim the benefit under 35 United States Code § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 United States Code § 112, I acknowledge the duty to disclose information which is material to the patentability as defined in 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PCT/CA03/001514  
(Application Serial No.)

October 1, 2002  
(Filing Date)

Completed  
Status: (Patented, Pending,  
Completed)

This is Exhibit "A" referred to in the Declaration of Abolghassem Aghtai declared this 11 day of August, 2006

~~A Commissioner for Taking Affidavits  
for British Columbia~~

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following as my attorneys and/or agents, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent & Trademark Office connected therewith:

**Clifford W. Vermette**

**Reg. No. 30,018**

**Customer Number: 32084**

**SEND CORRESPONDENCE TO: Vermette & Co.  
Box 40, Granville Square  
Suite 230, 200 Granville Street  
Vancouver, British Columbia  
Canada V6C 1S4**

**DIRECT TELEPHONE CALLS TO: Clifford W. Vermette at (604) 331-0381**

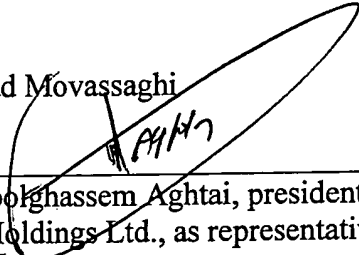
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Sole Inventor:**

**Full Name:**

Mehrzaad Movassaghi

**Signature:**

  
By: Abolghassem Aghtai, president of  
Fama Holdings Ltd., as representative  
For Mehrzaad Movassaghi

date: 12/08/2006

**Citizenship:**

Canadian

**Residence Address:** 2316 West 13<sup>th</sup> Avenue  
Vancouver, British Columbia  
Canada V6K 2S6

**Post Office Address:** same



31 MAR 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

VERMETTE & CO.  
Box 40 Granville Square  
230-200 Granville Street  
Vancouver, British Columbia  
V6C 1S4  
CANADA

In re Application of:	:	
MOVASSAGHI, Mehrzad	:	DECISION ON PETITION UNDER
U.S. Application No.: 10/530,014	:	37 CFR 1.47(b)
PCT No.: PCT/CA2003/001514	:	
International Filing Date: 01 October 2003	:	
Priority Date: 01 October 2002	:	
Attorney's Docket No.: 1491-148	:	
For: MULTIPLE-PLATE COMBUSTOR	:	

This decision is issued in response to the "Petition Under 37 CFR 1.47 Regarding Refusal Of An Inventor To Proceed" filed 16 December 2005, treated herein under 37 CFR 1.47(b). Applicant has submitted the required petition fee.

### **BACKGROUND**

On 01 October 2003, applicant filed international application PCT/CA2003/001514. The international application claimed a priority date of 01 October 2002 and designated the United States. On 15 April 2004, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 01 April 2005.

On 01 April 2005, petitioner filed a Transmittal Letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee.

On 16 September 2005, the United States Designated/Elected Office (DO/EO/US) mailed a Notification Of Missing Requirements (Form PCT/DO/EO/905) indicating that an executed oath or declaration acceptable under 37 CFR 1.497 was required.

On 16 December 2005, petitioner filed a response to the Notification Of Missing Requirements that included the petition considered herein. The petition seeks acceptance of the application without the signature of the sole inventor, whom petitioner states has refused to execute the application papers.

### DISCUSSION

A grantable petition under 37 CFR 1.47(b) must be accompanied by: (1) the fee under 37 CFR 1.17; (2) factual proof that the inventor refuses to execute the application or cannot be reached after diligent effort; (3) a statement of the last known address of the nonsigning inventor; (4) an oath or declaration by the 37 CFR 1.47(b) applicant on behalf of and as agent for the nonsigning inventor; (5) proof of proprietary interest in the application; and (6) a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damages. The present petition satisfies items (1) and (3).

Regarding item (1), petitioner has authorized a charge to Deposit Account No. 03-1952 for the required petition fee (\$200). Based on this authorization, item (1) is satisfied.

Regarding item (2), where it is asserted that the inventor has refused to execute the application papers, section 409.03(d) of the MPEP requires that the nonsigning inventor first be provided with a copy of the complete application papers, including specification, drawings and claims. The MPEP also requires "a statement of facts by the person who presented the inventor with the application papers and/or to whom the refusal was made." Here, petitioner has provided a firsthand statement, with documentary support, demonstrating that the applicant has been provided with a copy of the assignment and declaration and has refused to execute these documents. However, petitioner has not provided a firsthand statement confirming that the inventor was provided with a copy of the complete application papers (including specification, claims, and drawings) prior to the refusal to execute the declaration, as required. Item (2) is therefore not satisfied.

Regarding item (3), the petition includes an express statement of the last known address of the nonsigning inventor. Item (3) is satisfied.

Regarding item (4), the petition includes an unexecuted declaration that identifies the nonsigning inventor as the sole inventor, but the declaration has not been executed by the 37 CFR 1.47(b) applicant on behalf of and as agent for the nonsigning inventor. Item (4) is therefore not satisfied.

Regarding item (5), section 409.03(f) of the MPEP states the following:

When an application is deposited pursuant to 37 CFR 1.47(b), the 37 CFR 1.47(b) applicant must prove that: (A) the invention has been assigned to the applicant, or (B) the inventor has agreed in writing to assign the invention to the applicant, or (C) the applicant otherwise has sufficient proprietary interest in the subject matter to justify the filing of the application.



The petition asserts that the declaration of Clifford W. Vermette, and the exhibits thereto, demonstrate that Powertech Industries, Inc. (Powertech) "was to own" the present application. However, these materials do not state that the inventor has assigned, or has agreed to assign, the present application to Powertech, nor is a copy of any such assignment or agreement to assign provided. Petitioner must therefore satisfy the requirements of category (C) above, that is, a showing that "the applicant otherwise has sufficient proprietary interest in the subject matter to justify the filing of the application." Regarding such cases, section 409.03(f) of the MPEP states the following:

A proprietary interest obtained other than by assignment or agreement to assign may be demonstrated by an appropriate legal memorandum to the effect that a court of competent jurisdiction (federal, state, or foreign) would by the weight of authority in that jurisdiction award title of the invention to the 37 CFR 1.47(b) applicant. The facts in support of any conclusion that a court would award title to the 37 CFR 1.47(b) applicant should be made of record by way of an affidavit or declaration of the person having firsthand knowledge of same. The legal memorandum should be prepared and signed by an attorney at law familiar with the law of the jurisdiction involved. A copy (in the English language) of a statute (if other than the United States statute) or a court decision (if other than a reported decision of a federal court or a decision reported in the United States Patents Quarterly) relied on to demonstrate a proprietary interest should be made of record.

The present submission does not include such a legal memorandum. Accordingly, on the present record, item (5) is not satisfied on the present record.

Regarding item (6), petitioner has not made the express statement that granting of the present petition is necessary to preserve the rights of the parties or to prevent irreparable damages

Based on the above, petitioner has failed to satisfy all the requirements for a grantable petition.

### CONCLUSION

The petition under 37 CFR 1.47(b) is **DISMISSED** without prejudice.

If reconsideration on the merits of the petition is desired, a proper response must be filed within **TWO (2) MONTHS** of the mail date of the present decision. Any request for reconsideration should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(b)" and must include the materials required to satisfy items (2), (4), (5), and (6) of a grantable petition, as discussed above and in the applicable sections of the MPEP.

Failure to provide a proper and timely response will result in abandonment of the application. Extensions of time are available under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

A handwritten signature in black ink, appearing to read 'RM Ross', with a stylized flourish at the end.

Richard M. Ross  
Attorney Advisor  
Office of PCT Legal Administration  
Telephone: (571) 272-3296  
Facsimile: (571) 273-0459



09 NOV 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS  
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VERMETTE & CO.  
Box 40 Granville Square  
230-200 Granville Street  
Vancouver, British Columbia  
V6C 1S4  
CANADA

In re Application of:  
MOVASSAGHI, Mehrzad  
U.S. Application No.: 10/530,014  
PCT No.: PCT/CA2003/001514  
International Filing Date: 01 October 2003  
Priority Date: 01 October 2002  
Attorney's Docket No.: 1491-148  
For: MULTIPLE-PLATE COMBUSTOR

DECISION ON SECOND  
RENEWED PETITION UNDER  
37 CFR 1.47(b)

In a decision mailed by this Office on 14 July 2006, the renewed petition under 37 CFR 1.47(b) was dismissed without prejudice for failing to satisfy all the requirements of a grantable petition. Specifically, petitioners had not submitted an acceptable a declaration executed by the 37 CFR 1.47(b) applicant on behalf of the non-signing inventor, and petitioner had not provided copies of the legal references relied upon to conclude that the 37 CFR 1.47(b) applicant has a proprietary interest in the present application.

On 06 September 2006, petitioner filed the second renewed petition considered herein. The second renewed petition includes an acceptable declaration executed by the 37 CFR 1.47(b) applicant Fama Holdings Ltd. on behalf of the non-signing inventor and copies of the Canadian court decisions previously cited by petitioner. These materials satisfy the remaining elements of a grantable petition set forth in the previous decision.

Petitioner has now satisfied all the requirements for a grantable petition under 37 CFR 1.47(b). Accordingly, the second renewed petition under 37 CFR 1.47(b) is **GRANTED**.

The application is accepted without the signature of inventor Mehrzad MOVASSAGHI.

A notice of the acceptance of the application will be published in the Official Gazette, and a letter informing the non-signing inventor of the application will be forwarded to the non-signing inventor at his last-known address, as set forth in the petition.

The application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further processing. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 06 September 2006.



Richard M. Ross  
Attorney Advisor  
Office of PCT Legal Administration  
Telephone: (571) 272-3296  
Facsimile: (571) 273-0459



Mehrzhad Movassaghi

Serial No.: 10/530,014

Filing Date: October 1, 2003

Title: MULTIPLE PLATE  
COMBUSTOR

) Customer No. 32084

Atty No. 1491-148

**Petitions Examiner:**  
**Richard M. Ross**

The Honorable Commissioner of  
Patents and Trademarks  
Office of the PCT Legal Administration

Dear Mr. Ross:

**RENEWED PETITION UNDER 37 CFR 1.47(b)**

Pursuant to 37 CFR 1.47(b), Applicant hereby requests reconsideration of the dismissal of Applicant's Petition filed December 16, 2005.

Please find attached the following documents:

1. Declaration of Abolghassem Aghtai, President of Fama Holdings Ltd.;
2. Supplemental Declaration of Clifford W. Vermette, in support of Petition under 37 CFR 1.47(b); and
3. Memorandum of Law of Mark Pospisilik, solicitor for Fama Holdings Ltd.

The foregoing documents address all of the outstanding issues mentioned in the Decision on Petition Under 37 CFR 1.47(b) of March 31, 2006. More specifically, the Declaration of Clifford W. Vermette establishes that Dr. Movassaghi, the inventor, met with Mr. Vermette at Mr. Vermette's office where

the complete file including the specification, drawings and claims as well as the Declaration and Power of Attorney and Assignment documents were before Dr. Movassaghi at the time he signed a letter refusing to execute these documents. This letter was previously filed.

A Declaration and Power of Attorney document signed by the president of Applicant, Fama Holdings Ltd., of and as agent for Dr. Movassaghi is submitted.

As evidence that the applicant has sufficient proprietary interest in the subject matter to justify the filing of the application, a legal memorandum of Mark Pospisilik, a lawyer, is provided.


Finally, an express statement that the granting of the present petition is necessary to preserve the rights of the parties or to prevent irreparable damages has been added to the Declaration of Abolghassem Aghtai.

Accordingly, Applicant respectfully request reconsideration of the decision.

This request for reconsideration is submitted in the belief that no fee is required.

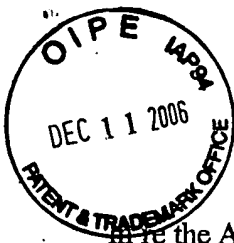
Respectfully submitted,

Dated: May 31, 2006

By:   
Clifford W. Vermette  
Reg. No. 30,018  
Attorney for Applicant

Vermette & Co.  
Box 40 Granville Square,  
Suite 230, 200 Granville Street  
Vancouver, British Columbia,  
V6C 1S4 Canada

Tel:(604) 331 0381  
Fax:(604) 331 0382



IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

In re the Application of:

Mehrza Movassaghi

Serial No.: 10/530,014

Filing Date: 10/01/2003

Priority Date: 10/01/2002

Entry Date: April 2, 2005

Int'l Appln. No.: PCT/CA03/01514

Title: MULTIPLE PLATE COMBUSTOR

Attorney Docket No. 1491-148

May 30, 2006

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

DECLARATION

ABOLGHASSEM

I, ~~Kassem~~ Aghtai, President of Fama Holdings Ltd., declare as follows:

1. I have been an officer of Fama Holdings Ltd. (hereinafter called "Fama") from at least as early as October 1, 2002 up until the present time.
2. The principals of Fama first became acquainted with Dr. Mehrza Movassaghi and Powertech Industries Inc. (Powertech) on or about 1995 when Dr. Movassaghi introduced Fama to a combustor he had been working on. At the time Dr. Movassaghi was a shareholder and president of Powertech, the company through which initial development of the combustor was carried out. I believe that the primary purpose of Dr. Movassaghi's employment with Powertech was to develop the combustor. Dr. Movassaghi had no employment agreement or technology assignment agreement with Powertech. Fama became interested in the concept and decided that Fama should become involved in supporting the further development of the combustor. Sixty percent of the issued and outstanding shares of Powertech were acquired by Fama.
3. The principals of Fama caused a wholly owned B. C. Company by the name of Gasmaster Industries Inc. (Gasmaster) to be incorporated and had all further development work on the combustor done by Gasmaster. Dr. Movassaghi was hired as a consultant to Gasmaster and charged with the job of developing the combustor into a commercially acceptable product. Dr. Movassaghi reported to me.
4. Dr. Movassaghi was to participate in the further development of the combustor with all of the patent applications being filed in the name of Powertech. Dr. Movassaghi cooperated in making these filings including executing the Power of Attorney document, a copy of which is annexed hereto to this my Declaration and marked as Exhibit A. Exhibit A identifies Powertech as the owner of the patent rights in the Multiple Plate Combustor. It was Powertech's intention to exploit the Multiple Plate Combustor as part of a commercial boiler system. Dr. Movassaghi worked on the boiler system and was aware of our intention to exploit the patent rights.

5. Dr. Movassaghi was paid on a regular basis by Gasmaster. He was free to use and did use Gasmaster's employees and facilities and obtained supplies through Gasmaster for his development work. Legal fees for preparation and prosecution of patent applications for the Multiple Plate Combustor were paid by Gasmaster and Powertech. Vermette & Co., the agents charged with preparing and prosecuting the patent applications took instructions from Gasmaster and Powertech. Both Gasmaster and Powertech were funded solely by Fama.

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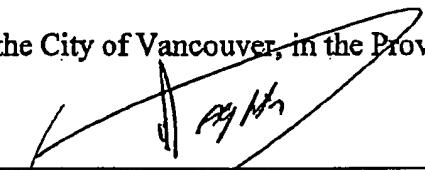
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8. Copies of the first 4 pages of an Agreement for Purchase and Sale of Assets corresponding to this sale are annexed to this my Declaration and marked as Exhibit B. Assignments from Powertech to Fama are presently being secured for various countries in which patent applications have been filed and these executed assignments will be filed shortly.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Declared this 31 day of May, 2006 in the City of Vancouver, in the Province of British Columbia, Canada.

ABOLGHASS EM   
Koushan Aghtai  
President, Fama Holdings Ltd.





Docket No. 1491-148

# DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name,

I believe I am a joint inventor of the subject matter, which is claimed and for which a patent is sought on the invention entitled:

## MULTIPLE PLATE COMBUSTOR

the specification of which (check one):

☐ is attached hereto.

☒ was filed on \_\_\_\_\_, as Application Serial No. 10/530,014.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)		Priority Claimed	
<u>T02002A00850</u>	<u>Italy</u>	<u>1/October/2002</u>	<u>X</u>
(number)	(country)	(day/month/year filed)	yes no

I hereby claim the benefit under 35 United States Code § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 United States Code § 112, I acknowledge the duty to disclose information which is material to the patentability as defined in 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PCT/CA03/001514  
(Application Serial No.)

October 1, 2002  
(Filing Date)

Completed  
Status: (Patented, Pending,  
Completed)

This is Exhibit "A" referred to in the  
declaration of Abolghassem Aghai  
sworn before me at Vancouver  
this 31 day of May 06  
[Signature]  
A Commissioner for taking Declaration  
for British Columbia

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following as my attorneys and/or agents, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent & Trademark Office connected therewith:

**Clifford W. Vermette**

**Reg. No. 30,018**

**Customer Number: 32084**

**SEND CORRESPONDENCE TO: Vermette & Co.  
Box 40, Granville Square  
Suite 230, 200 Granville Street  
Vancouver, British Columbia  
Canada V6C 1S4**

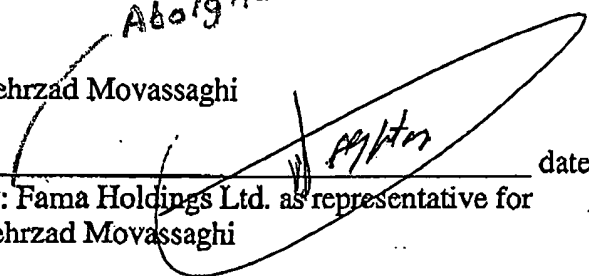
**DIRECT TELEPHONE CALLS TO: Clifford W. Vermette at (604) 331-0381**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Sole Inventor:**

**Full Name:** Mehrzad Movassaghi

**Signature:**

*Abolghassem Aghtai, president of*  
  
By: Fama Holdings Ltd. as representative for  
Mehrzad Movassaghi

date:

*May 31 / 2006*

**Citizenship:** Canadian

**Residence Address:** 2316 West 13<sup>th</sup> Avenue  
Vancouver, British Columbia  
Canada V6K 2S6

**Post Office Address:** same



IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

In re the Application of:	)	
Mehrza Movassaghi	)	Attorney Docket No. 1491-148
Serial No.:	10/530,014	)
Filing Date:	10/01/2003	)
Priority Date:	10/01/2002	)
Entry Date:	April 2, 2005	)
Int'l Appln. No.:	PCT/CA03/01514	)
Title:	MULTIPLE PLATE COMBUSTOR	)

---

May 31 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

MEMORANDUM OF LAW

This memorandum deals with the issue of whether or not Applicant has sufficient proprietary interest in the invention of U.S. Patent Appln. No. 10/531,014, filed on October 1, 2003, by Mehrza Movassaghi, to justify filing the application.

The parties involved in the development of the Multiple Plate Combustor and referred to in the supporting Declarations of Abolghassem Aghtai and Clifford Vermette are all Canadian residents, citizens and/or corporations. All of the acts referred to in the Declarations are believed to have taken place in Canada. Therefore, the respective rights of the parties are determined by Canadian law.

The Declaration of Abolghassem Aghtai establishes that the Inventor, Dr. Mehrza Movassaghi, was an employee of Powertech Industries Inc. (Powertech) and a consultant to Gasmaster Industries Inc., (Gasmaster) at the time of the development of the Multiple Plate Combustor invention and at the time the present patent application was filed. Thus, the ownership of the present patent application is determined in the context of (a) the employer-employee relationship between Dr. Movassaghi and Powertech, and (b) the consultancy relationship between Gasmaster and Dr. Movassaghi.

Since both Gasmaster and Powertech are now owned by Applicant, Fama Holdings Ltd., (see Declaration of Abolghassem Aghtai, Exhibit B) ownership of the Multiple Plate Combustor invention by either Gasmaster or Powertech evidences ownership of the invention by Applicant, Fama Holdings Ltd.

(a) Employment

Since Dr. Movassaghi had no written agreement with Powertech regarding ownership of patents or inventions, such rights are governed by the common law regarding the ownership of inventions by employers and employees. As set forth in *Comstock Canada v. Electec Ltd.*, 38 C.P.R. (3d) 29 (Fed. Ct., Trial Div.) the general principle, in relation to employees' inventions, is that an invention made by a servant, (i.e. employee) while in the employ of his master, belongs to the servant and not to the master.

In *Comstock* the Court articulated two exceptions to the presumption favoring the inventive employee:

- 1) an express contract to the contrary, or
- 2) where the person was employed for the purpose of inventing or innovating, which requires considering the nature and context of the employer/employee relationship, which includes consideration of the following factors:
  - a) the express purpose of employment;
  - b) whether the employee at the time he was hired had previously made inventions;
  - c) whether an employer had incentive plans encouraging product development;
  - d) whether conduct of the employer once the invention had been created suggested ownership was held by the employer;
  - e) whether the invention is the product of a problem the employee was instructed to solve, (i.e., whether it was his duty to make inventions);
  - f) whether the employee's inventions arose following his consultation through normal company channels (i.e., was help sought);
  - g) whether the employee was dealing with highly confidential information or confidential work;
  - h) whether it was a term of the servant's employment that he could not use the idea which he developed to his own advantage.

In respect of the present application, the second exception, and factors (a), (b) and (d) listed thereunder, are most relevant.

According to the Declaration of Abolghassem Aghtai, Dr. Movassaghi, a scientist with experience in the field of combustor design, was employed by Powertech up until September 2004. The primary purpose of Dr. Movassaghi's employment with Powertech was to develop a combustor.

At the time that Fama Holdings Ltd. acquired a controlling interest in Powertech, Dr. Movassaghi had previously made at least one similar invention, namely, a Pulse Combustor, for which he was issued U.S. Patent 4,968,244, on November 6, 1990 (U.S. Appln. No. 362,818, filed June 7, 1989).

Once the Multiple Plate Combustor had been invented, the conduct of Powertech suggests that ownership of the invention had been transferred to Powertech (i.e. the patent application was filed in the name of Powertech; the Power of Attorney which referred to Powertech as the owner of the patent rights was signed by Dr. Movassaghi; the Agreement for Purchase and Sale of Assets names Powertech as the legal and beneficial owner of International Patent Application PCT/CA2003/001514, the parent of the present U.S. application; and Powertech instructed and paid the patent agents handling the application).

Thus, according to the rule laid out in *Comstock*, the invention made by Dr. Movassaghi, the Multiple Plate Combustor of the present application, belongs to the employer, Powertech (i.e. it falls under the second exception to the presumption that employees retain title to their own inventions). Therefore, as a result of the Agreement referred to in the Declaration of Abolghassem Aghtai (Exhibit B) between Fama Holdings Ltd., Powertech and Gasmaster, ownership of the Multiple Plate Combustor invention passed to Fama Holdings Ltd.

#### (b) Consultancy

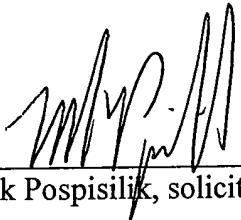
Generally, an independent consultant who makes an invention owns the invention unless there is an agreement, express or implied, to the contrary. Whether a term transferring ownership of an invention to the client is to be implied depends on whether such a term is necessary having regard to the circumstances of the case. The case of *Techform Products Ltd. v. Wolda*, 2 C.P.R. (4<sup>th</sup>) 235, 5 C.P.R. (4<sup>th</sup>) 25, (Ont S.C.) (reversed on appeal on other grounds), established that terms may be implied in a consultancy contract based on usage or custom, as the legal incidents of a particular class or kind of contract, or based on the presumed intention of the parties to give business efficacy to the contract. In considering implied contractual terms based on business efficacy, the focus is on the actual intentions of the parties and not the intentions of reasonable parties. Business efficacy does not mean that a contract would be better if the term were implied. It means that the contract would not be effective unless the term were implied.

While there is no known industry practice, the relationship between the parties points to Gasmaster owning the patent rights. According to the Declaration of Abolghassem Aghtai, Dr. Movassaghi was hired by Gasmaster to develop a commercially viable combustor, and Gasmaster paid all expenses, in addition to Dr. Movassaghi's consultancy fee, and provided the facilities for the development. These facts indicate that ownership of the Multiple Plate Combustor invention is the *quid pro quo* that Gasmaster received in return for providing the finances and resources for the development of the invention. If Dr. Movassaghi were to maintain ownership of the invention then Gasmaster would receive nothing in return for its investment. It cannot be said that Gasmaster would have consented to pay all expenses for development including the consultancy fee with no expectation of ownership of the patent rights. Therefore, it can be concluded that the actual intention of the parties was that the ownership of the invention would be owned by Gasmaster.

### Conclusion

By virtue of his employment by Powertech, and/or his consultancy with Gasmaster, the inventor, Dr. Mehrzad Movassaghi, effectively transferred all of his right title and interest in the Multiple Plate Combustor to either Powertech or Gasmaster, in both of which at the material time, Fama Holdings Ltd. owned at least a majority of the issued and outstanding shares. In September of 2004 all of the assets of Powertech and Gasmaster were purchased by Applicant, Fama Holdings Ltd. Therefore, Fama Holdings Ltd. has sufficient proprietary interest in the Multiple Plate Combustor to justify filing the present application.

Date: May 31, 2006

  
\_\_\_\_\_  
Mark Pospisilik, solicitor for Fama Holdings Ltd.

Vermette & Co.  
200 Granville Street, Suite 230  
Vancouver, BC  
Canada V6C 1S4  
Tel: 604 331 0381  
Fax: 604 331 0382



14 JUL 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

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JA

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

VERMETTE & CO.  
Box 40 Granville Square  
230-200 Granville Street  
Vancouver, British Columbia  
V6C 1S4  
CANADA

In re Application of:	:	
MOVASSAGHI, Mehrzad	:	
U.S. Application No.: 10/530,014	:	DECISION ON RENEWED
PCT No.: PCT/CA2003/001514	:	PETITION UNDER
International Filing Date: 01 October 2003	:	37 CFR 1.47(b)
Priority Date: 01 October 2002	:	
Attorney's Docket No.: 1491-148	:	
For: MULTIPLE-PLATE COMBUSTOR	:	

This decision is issued in response to the "Renewed Petition Under 37 CFR 1.47(b)" filed 31 May 2006. No additional petition fee is required.

### **BACKGROUND**

In a decision mailed on 31 March 2006, this Office dismissed the petition under 37 CFR 1.47(b) filed 16 December 2005 for failure to satisfy all the requirements for a grantable petition. Specifically, petitioner had failed to provide the following: (1) adequate proof that the inventor refused to execute the application; (2) an oath or declaration by the 37 CFR 1.47(b) applicant on behalf of and as agent for the nonsigning inventor; (3) adequate proof of petitioner's proprietary interest in the application; and (4) a statement the petition was necessary to preserve the rights of the parties or to prevent irreparable damages.

On 31 May 2006, applicant filed the "Renewed Petition Under 37 CFR 1.47(b)" considered herein.

### **DISCUSSION**

The renewed petition includes supplemental materials addressing the defects in the earlier petition. These materials are considered below with respect to each of the outstanding petition requirements.

#### **1. Adequate Proof Of The Inventor's Refusal To Sign The Application:**

The renewed petition includes a "Supplemental Declaration Of Clifford W. Vermette" regarding the inventor's refusal to execute the application papers. This statement confirms that a copy of the complete application papers was before the inventor during the meeting at which the

inventor indicated his refusal to execute the declaration for the present application. In combination with the previously filed materials, this statement provides an adequate showing that the inventor has refused to execute the application. This element of a grantable petition is therefore satisfied.

**2. Declaration By The 37 CFR 1.47(b) Applicant On Behalf Of The Inventor**

With respect to this requirement, petitioner has now submitted a "Declaration And Power Of Attorney" document indicating that it is executed by "Fama Holdings Ltd as representative for Mehrzad Movassaghi." However, the "Declaration And Power Of Attorney" document does not indicate on its face the name or title of the person who executed the declaration on behalf of Fama Holdings. Because the "Declaration And Power Of Attorney" does not identify the person who executed the declaration on behalf of Fama Holdings Ltd, the declaration cannot be accepted in satisfaction of this outstanding requirement. Petitioner is still required to submit a declaration in compliance with 37 CFR 1.497 properly executed on behalf of the non-signing inventor by the 37 CFR 1.47(b) applicant, that is, executed by a person who is specifically identified and who either states that he is authorized to act on behalf of the 37 CFR 1.47(b) applicant or has a title which provides him/her with apparent authority to act on behalf of the 37 CFR 1.47(b) applicant.<sup>1</sup>

**3. Adequate Proof Of Petitioner's Proprietary Interest:**

The renewed petition includes a "Memorandum Of Law" from Mark Pospisilik, Solicitor for Fama Holdings Ltd. The memorandum concludes that "Fama Holdings Ltd. has sufficient proprietary interest in the Multiple Plate Combustor to justify filing the present application." The conclusion in the memorandum of law is based on the accompanying declaration of Mr. Aghtai, the exhibits thereto, and two Canadian court decisions. However, petitioner has not submitted copies of the Canadian court decisions, as required by MPEP § 409.03(f) (quoted in the previous decision). Petitioner must submit copies of the Canadian court decisions relied on before the Memorandum Of Law can be accepted in satisfaction of this outstanding petition requirement.

**4. Statement Of Irreparable Harm:**

The declaration of Mr. Aghtai includes the required statement that granting of the petition "is necessary to preserve the rights, of the parties or to prevent irreparable damages." This petition requirement has therefore been satisfied.

**CONCLUSION**

The renewed petition under 37 CFR 1.47(b) is **DISMISSED** without prejudice.

---

<sup>1</sup> It is noted that the "Declaration And Power Of Attorney" included with the renewed petition is identified as "Exhibit A" to the separate "Declaration" of Abolghassi Aghtai (president of Fama Holdings Ltd). However, Mr. Aghtai's declaration refers to the attached "Exhibit A" as a Power of Attorney document that was executed by the inventor, Dr. Movassaghi, rather than as a declaration executed by the 37 CFR 1.47(b) applicant on behalf of the nonsigning inventor.



If reconsideration on the merits of the petition is desired, a proper response must be filed within **TWO (2) MONTHS** of the mail date of the present decision. Any request for reconsideration should include a cover letter entitled "Second Renewed Petition Under 37 CFR 1.47(b)" and must include, as discussed above: (1) an acceptable declaration properly executed by the 37 CFR 1.47(b) on behalf of the nonsigning inventor; and (2) copies of the Canadian legal decisions which serve as the basis for the Memorandum Of Law filed herein.

Failure to provide a proper and timely response will result in abandonment of the application. Extensions of time are available under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Richard M. Ross  
Attorney Advisor  
Office of PCT Legal Administration  
Telephone: (571) 272-3296  
Facsimile: (571) 273-0459



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: )

Mehrzaad Movassaghi, et al. )

Serial No.: 10/530,014 )

Atty. Docket: 1491-148

Filing Date: October 1, 2003 )

Title: MULTIPLE PLATE COMBUSTOR )

---

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C.  
U.S.A. 20231

**PETITION UNDER 37 C.F.R. 1.47 REGARDING REFUSAL OF AN INVENTOR TO  
PROCEED**

Dear Sirs/Mesdames:

Applicant hereby petitions the Commissioner of Patents under 37 CFR 1.47 to allow the present national phase application to proceed without the signature of the sole inventor, Mehrzaad Movassaghi.

**ARGUMENT**

Mehrzaad Movassaghi is hereinafter referred to as the Non-signing inventor. The last known contact information for the Non-signing Inventor is his residential address of 2316 West 13<sup>th</sup> Avenue, Vancouver, British Columbia, V6K 2S6.

The non-signing inventor has refused to execute an Assignment and Declaration and Power of Attorney of the present invention.

Applicant, Powertech Industries Inc. sent the Assignment and Declaration and Power of Attorney to the last known address of the non-signing inventor, with the request that he execute the documents.

Not  
signed  
| Applicant submits that the evidence in the Declaration of Janet L. Au-yeung outlines her attempts to have the non-signing inventor sign an Assignment and Declaration and Power of Attorney and his refusal to do so. In the letter from Vermette & Co. to the non-signing inventor, we requested that he sign the assignment and declaration and power of attorney, however, the non-signing inventor returned a copy of the letter and executed a statement indicating his refusal to sign the documents.

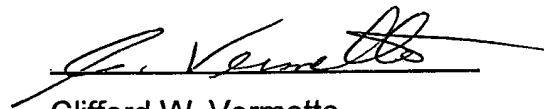
Applicant submits that the evidence in the Declaration of Clifford W. Vermette shows that the Applicant, Powertech Industries Inc. was to own the above-referenced Patent Application and all predecessor and subsequent applications related thereto.

Accordingly, Applicant petitions the Commissioner to allow the present application to proceed without the signature of the non-signing inventor, Mehrzad Movassagi.

Respectfully submitted,

Dated: Dec 15/05

By:



Clifford W. Vermette  
Reg. No. 30,018  
Attorney for Applicant

Vermette & Co.  
Box 40 Granville Square  
230 - 200 Granville Street  
Vancouver, British Columbia  
Canada V6C 1S4  
Tel: (604) 331 - 0381  
Fax: (604) 331 - 0382



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Mehrzad Movassagi, et al. )  
Serial No. 10/530,014 )  
Filed: October 1, 2003 ) Atty. Dkt. No.: 1491-148  
For: Multiple Plate Combustor )

---

DECLARATION OF JANET L. AU-YEUNG IN SUPPORT  
OF PETITION UNDER 37 CFR 1.47

I, Janet Au-yeung, Paralegal, of Vancouver, British  
Columbia, Canada, SAY AS FOLLOWS:

1. I have personal knowledge of the matters and facts hereinafter deposed to save and except where stated to be based upon information and belief, in which case I verily believe them to be true.
2. I am a Paralegal employed by the law firm Vermette & Co. and Registered U.S. Patent Attorney Clifford W. Vermette, Registration No. 30,018.
3. The current contact information I have on file for, the inventor, Mehrzad Movassagi is his residential address of 2316 West 13<sup>th</sup> Avenue, Vancouver, British Columbia, V6K 2S6.

4. On or about November 7, 2005, I forwarded to Mehrzad Movassagi, for review and execution, an Assignment and Declaration and Power of Attorney documents for U.S. Pat. Appln. No. 10/530,014. The documents were sent by regular mail to his home address. Attached to this my Declaration is a true copy of the letter marked Exhibit "A".

5. On or about December 7, 2005, having not received the executed Assignment and Declaration and Power of Attorney, I couriered same to his residential address. Attached to this my Declaration is a true copy of the letter marked Exhibit "B".

6. On or about December 7, 2005, I also sent by registered mail the required documents to his residential address. Attached to this my Declaration is a true copy of the Customer Tracking Receipt marked Exhibit "C".

7. On or about December 8, 2005, the courier package was returned to our office, as no one at the residence was available to sign for the courier package.

8. On or about December 14, 2005, the Inventor, Mehrzad Movassagi, came to the office and executed a letter indicating that he had received the Assignment and Declaration and Power of

Attorney documents and refused to execute them. Attached to this my Declaration is a true copy of the letter marked Exhibit "D"

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SWORN BEFORE ME at the City of )  
 )  
Vancouver, in the Province of )  
 )  
 British Columbia, this 15<sup>th</sup> )  
 )  
 day of December, 2005 )

C. Vernetto  
 A Commissioner for taking  
 Affidavits for British Columbia

Janet L. Au-yeung  
 Janet L. Au-yeung

# Vermette & Co.

Barristers & Solicitors  
Patent and Trademark Agents

Box 40, Granville Square  
Suite 230, 200 Granville Street  
Vancouver, British Columbia  
CANADA V6C 1S4

Telephone: (604) 331 0381  
Facsimile: (604) 331 0382  
E-mail: [ip@vermetteco.com](mailto:ip@vermetteco.com)  
Web Site: [www.vermetteco.com](http://www.vermetteco.com)

November 7, 2005

Mr. Mehrzad Movassaghi  
2316 West 13<sup>th</sup> Avenue  
Vancouver, British Columbia  
V6K 2S6

I hereby acknowledge receipt of the Declaration  
and Power of Attorney and Assignment  
documents. I hereby refuse to execute same.

Mehrzad Movassaghi

Dear Mr. Movassaghi:

**Re: United States National Phase Patent Application No. 10/530,014  
of International PCT Patent Application no. PCT/CA2003/001514  
Int'l Filing Date: October 1, 2003  
Title: MULTIPLE PLATE COMBUSTOR  
Applicants: Powertech Industries Inc., et al.  
Inventor: Mehrzad Movassaghi  
Priority: Italian Patent Application No. T02002A00850 filed October 1,  
2002  
Our File: 1491-148**

The above-referenced application was filed without supporting documents. Under United States Patent law, we are required to submit a Declaration and Power of Attorney as executed by the inventor.

Please also find enclosed a copy of an Assignment document, which assigns all right, title and interest in the above-referenced application to Powertech Industries Inc.

Please review the above documents and if they are acceptable, please execute the documents and return same to our office at your earliest convenience.

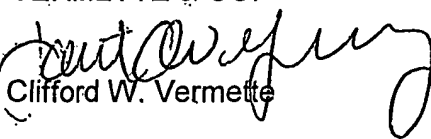
We look forward to receiving the above documents in, in any event, before **December 7, 2005**.

If you do not intend to execute and return the enclosed documents, kindly execute and return the attached copy of this letter, wherein you acknowledge receipt of this letter.

We thank you for your cooperation in this matter. Should you have any questions, please do not hesitate to contact our office.

Yours truly,

VERMETTE & CO.

per:   
Clifford W. Vermette

CWW/jla/kjg  
encs.

This is Exhibit" A "referred to in the  
affidavit of JANE L. AU-LEON  
sworn before me at Vancouver, BC  
this 15<sup>th</sup> day of December 2005

  
A Commissioner for taking Affidavits  
for British Columbia

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following as my attorneys and/or agents, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent & Trademark Office connected therewith:

**Clifford W. Vermette**

**Reg. No. 30,018**

**Customer Number: 32084**

**SEND CORRESPONDENCE TO: Vermette & Co.  
Box 40, Granville Square  
Suite 230, 200 Granville Street  
Vancouver, British Columbia  
Canada V6C 1S4**

**DIRECT TELEPHONE CALLS TO: Clifford W. Vermette at (604) 331-0381**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Sole Inventor:**

**Full Name:** Mehrzad Movassaghi

**Signature:** \_\_\_\_\_ **date:** \_\_\_\_\_

**Citizenship:** Canadian

**Residence Address:** 2316 West 13<sup>th</sup> Avenue  
Vancouver, British Columbia  
Canada V6K 2S6

**Post Office Address:** same



**ASSIGNMENT**

**WHEREAS**

Inventor: Mehrzad Movassaghi  
Address: 2316 West 13<sup>th</sup> Avenue  
Vancouver, British Columbia  
V6K 2S6, Canada

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged by each of the undersigned, the undersigned agree to assign, and hereby does assign, transfer and set over to

Assignee: Powertech Industries Inc.

Jurisdiction: British Columbia

Address: Suite 1700 – 1095 West Pender Street  
Vancouver, British Columbia  
V6E 2M6, Canada

hereinafter designated as "Assignee

all right, title and interest in the invention known as:

**MULTIPLE PLATE COMBUSTOR**

for which the undersigned has executed an application for patent filed on March 31, 2005, in the Canadian Patent Office as application number \_\_\_\_\_ which claims priority from International PCT patent Application No. PCT/CA2003/001514 filed October 1, 2003 concurrently herewith.

1. The undersigned agrees to execute all papers necessary in connection with the application and any previously regularly filed applications on the basis of which a request for priority is made, any continuing or divisional applications thereof or corresponding applications for filing in countries other than Canada and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.
2. The undersigned agrees to execute all papers necessary in connection with any interference, conflict or opposition which may be declared concerning this application or continuation or division or divisions thereof and to co-operate with the Assignee in every way possible in obtaining evidence and going forward with such interference, conflict or opposition.
3. The undersigned agrees to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.
4. The undersigned agrees to perform all affirmative acts which may be necessary to obtain a grant of a valid Canadian Patent to the Assignee.

5. The undersigned hereby authorizes and requests the Commissioner of Patents to issue any and all Letters Patent of Canada resulting from said application or continuation or division or divisions thereof to the said Assignee, as Assignee of the entire interest and hereby covenants that he has full right to convey the entire interest herein assigned and that they he has not executed and will not execute, any agreement in conflict herewith.

SIGNED at \_\_\_\_\_, Canada,

this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
MEHRZAD MOVASSAGHI

WITNESS:

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(name - printed)

\_\_\_\_\_  
(address)

\_\_\_\_\_  
(occupation)

**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name,

I believe I am a joint inventor of the subject matter, which is claimed and for which a patent is sought on the invention entitled:

**MULTIPLE PLATE COMBUSTOR**

the specification of which (*check one*):

☐ is attached hereto.

☒ (X) was filed on \_\_\_\_\_, as Application Serial No. 10/530,014.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>T02002A00850</u>	<u>Italy</u>	<u>1/October/2003</u>	<u>X</u>	<u>      </u>
(number)	(country)	(day/month/year filed)	yes	no

I hereby claim the benefit under 35 United States Code § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 United States Code § 112, I acknowledge the duty to disclose information which is material to the patentability as defined in 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>PCT/CA03/001514</u>	<u>October 1, 2002</u>	<u>Completed</u>
(Application Serial No.)	(Filing Date)	Status: (Patented, Pending, Completed)

# Vermette & Co.

Barristers & Solicitors  
Patent and Trademark Agents

This is Exhibit "B" referred to in the  
affidavit of JANET L. AU-YEUNG  
sworn before me at VANCOUVER BC  
this 15<sup>th</sup> day of December 2005

A Commissioner for taking Affidavits  
for British Columbia

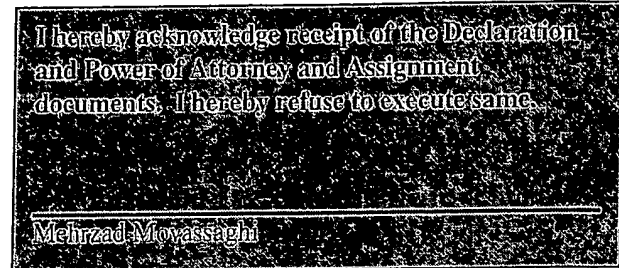
Box 40, Granville Square  
Suite 230, 200 Granville Street  
Vancouver, British Columbia  
CANADA V6C 1S4

Telephone: (604) 331 0381  
Facsimile: (604) 331 0382  
E-mail: ip@vermetteco.com  
Web Site: www.vermetteco.com

December 7, 2005

## VIA COURIER & REGISTERED MAIL

Mr. Mehrzad Movassaghi  
2316 West 13<sup>th</sup> Avenue  
Vancouver, British Columbia  
V6K 2S6



Dear Mr. Movassaghi:

**Re: United States National Phase Patent Application No. 10/530,014  
of International PCT Patent Application no. PCT/CA2003/001514  
Int'l Filing Date: October 1, 2003  
Title: MULTIPLE PLATE COMBUSTOR  
Applicants: Powertech Industries Inc., et al.  
Inventor: Mehrzad Movassaghi  
Priority: Italian Patent Application No. T02002A00850 filed  
October 1, 2002  
Our File: 1491-148**

Further to our letter of November 7, 2005, we wish to remind you that the above-referenced application was filed without supporting documents. Under United States Patent law, we are required to submit a Declaration and Power of Attorney as executed by the inventor.

Please also find enclosed a copy of an Assignment document, which assigns all right, title and interest in the above-referenced application to Powertech Industries Inc.

Please review the above documents and if they are acceptable, please execute the documents and return same to our office at your earliest convenience.

We look forward to receiving the above documents in, in any event, before **December 14, 2005**.

If you do not intend to execute and return the enclosed documents, kindly execute and return the attached copy of this letter, wherein you acknowledge receipt of this letter.

We thank you for your cooperation in this matter. Should you have any questions, please do not hesitate to contact our office.

Yours truly,

VERMETTE & CO.

*per Clifford W. Vermette*  
per Clifford W. Vermette

CWV/jla/kjg  
encls.

**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name,

I believe I am a joint inventor of the subject matter, which is claimed and for which a patent is sought on the invention entitled:

**MULTIPLE PLATE COMBUSTOR**

the specification of which (*check one*):

☐ is attached hereto.

☒ was filed on \_\_\_\_\_, as Application Serial No. 10/530,014.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)		Priority Claimed	
<u>T02002A00850</u>	<u>Italy</u>	<u>1/October/2003</u>	<u>X</u>
(number)	(country)	(day/month/year filed)	yes no

I hereby claim the benefit under 35 United States Code § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 United States Code § 112, I acknowledge the duty to disclose information which is material to the patentability as defined in 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

<u>PCT/CA03/001514</u>	<u>October 1, 2002</u>	<u>Completed</u>
(Application Serial No.)	(Filing Date)	Status: (Patented, Pending, Completed)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following as my attorneys and/or agents, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent & Trademark Office connected therewith:

**Clifford W. Vermette**

**Reg. No. 30,018**

**Customer Number: 32084**

**SEND CORRESPONDENCE TO: Vermette & Co.  
Box 40, Granville Square  
Suite 230, 200 Granville Street  
Vancouver, British Columbia  
Canada V6C 1S4**

**DIRECT TELEPHONE CALLS TO: Clifford W. Vermette at (604) 331-0381**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Sole Inventor:**

**Full Name:** Mehrzad Movassaghi

**Signature:** \_\_\_\_\_ **date:** \_\_\_\_\_

**Citizenship:** Canadian

**Residence Address:** 2316 West 13<sup>th</sup> Avenue  
Vancouver, British Columbia  
Canada V6K 2S6

**Post Office Address:** same

**ASSIGNMENT**

**WHEREAS**

Inventor: Mehrzad Movassaghi  
Address: 2316 West 13<sup>th</sup> Avenue  
Vancouver, British Columbia  
V6K 2S6, Canada

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged by each of the undersigned, the undersigned agree to assign, and hereby does assign, transfer and set over to

Assignee: Powertech Industries Inc.  
  
Jurisdiction: British Columbia  
  
Address: Suite 1700 – 1095 West Pender Street  
Vancouver, British Columbia  
V6E 2M6, Canada

hereinafter designated as "Assignee

all right, title and interest in the invention known as:

**MULTIPLE PLATE COMBUSTOR**

for which the undersigned has executed an application for patent filed on March 31, 2005, in the Canadian Patent Office as application number \_\_\_\_\_ which claims priority from International PCT patent Application No. PCT/CA2003/001514 filed October 1, 2003 concurrently herewith.

1. The undersigned agrees to execute all papers necessary in connection with the application and any previously regularly filed applications on the basis of which a request for priority is made, any continuing or divisional applications thereof or corresponding applications for filing in countries other than Canada and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.
2. The undersigned agrees to execute all papers necessary in connection with any interference, conflict or opposition which may be declared concerning this application or continuation or division or divisions thereof and to co-operate with the Assignee in every way possible in obtaining evidence and going forward with such interference, conflict or opposition.
3. The undersigned agrees to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.
4. The undersigned agrees to perform all affirmative acts which may be necessary to obtain a grant of a valid Canadian Patent to the Assignee.



5. The undersigned hereby authorizes and requests the Commissioner of Patents to issue any and all Letters Patent of Canada resulting from said application or continuation or division or divisions thereof to the said Assignee, as Assignee of the entire interest and hereby covenants that he has full right to convey the entire interest herein assigned and that they he has not executed and will not execute, any agreement in conflict herewith.

SIGNED at \_\_\_\_\_, Canada,

this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
MEHRZAD MOVASSAGHI

WITNESS:

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(name - printed)

\_\_\_\_\_  
(address)

\_\_\_\_\_  
(occupation)

**R** Registered Recommandé

**RT 869 975 131 CA**

**RT 869 975 131 CA**

**CANADA POST POSTES CANADA**

**Signature Required**  
Signature requise

Sender warrants that this shipment does not contain dangerous goods.  
L'expéditeur garantit que cet envoi ne contient pas de matières dangereuses.

**R** Registered Domestic Recommandé Régime intérieur

**CANADA POST POSTES CANADA**

**To Destinataire**

Name Nom **MEHRZAD MONASSAGHI**

Address Adresse **2316 W 13 AVE NDE**

City Ville **VANCOUVER** Province **BC** Postal Code Code postal **V6K 2S6**

Declared Value Valeur déclarée **\$ N/A**

Item No. N° de l'article **78 869 975 131**

**CUSTOMER RECEIPT REÇU DU CLIENT**

This is Exhibit "C" referred to in the  
affidavit of **JANET AU-HEUX**  
sworn before me at **VANCOUVER, BC**  
this **15th** day of **December**, **2005**

**A Commissioner for taking Affidavits  
for British Columbia**

# Vermette & Co.

Barristers & Solicitors  
Patent and Trademark Agents

Box 40, Granville Square  
Suite 230, 200 Granville Street  
Vancouver, British Columbia  
CANADA V6C 1S4

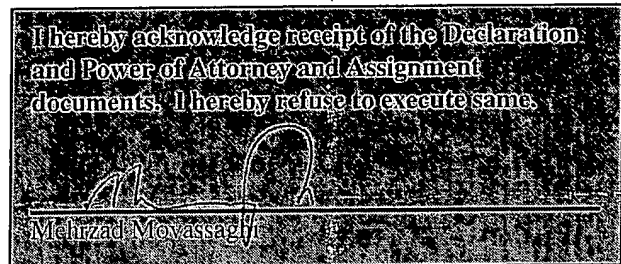
Telephone: (604) 331 0381  
Facsimile: (604) 331 0382  
E-mail: ip@vermetteco.com  
Web Site: www.vermetteco.com

his is Exhibit" D "referred to in the  
affidavit of JANET L. AU-LEUNG  
sworn before me at VANCOUVER, BC  
this 15<sup>th</sup> day of December 2005  
*[Signature]*  
A Commissioner for taking Affidavits  
for British Columbia

December 7, 2005

## VIA COURIER & REGISTERED MAIL

Mr. Mehrzad Movassaghi  
2316 West 13<sup>th</sup> Avenue  
Vancouver, British Columbia  
V6K 2S6



Dear Mr. Movassaghi:

**Re: United States National Phase Patent Application No. 10/530,014  
of International PCT Patent Application no. PCT/CA2003/001514  
Int'l Filing Date: October 1, 2003  
Title: MULTIPLE PLATE COMBUSTOR  
Applicants: Powertech Industries Inc., et al.  
Inventor: Mehrzad Movassaghi  
Priority: Italian Patent Application No. T02002A00850 filed  
October 1, 2002  
Our File: 1491-148**

Further to our letter of November 7, 2005, we wish to remind you that the above-referenced application was filed without supporting documents. Under United States Patent law, we are required to submit a Declaration and Power of Attorney as executed by the inventor.

Please also find enclosed a copy of an Assignment document, which assigns all right, title and interest in the above-referenced application to Powertech Industries Inc.

Please review the above documents and if they are acceptable, please execute the documents and return same to our office at your earliest convenience.

We look forward to receiving the above documents in, in any event, before **December 14, 2005**.

If you do not intend to execute and return the enclosed documents, kindly execute and return the attached copy of this letter, wherein you acknowledge receipt of this letter.

We thank you for your cooperation in this matter. Should you have any questions, please do not hesitate to contact our office.

Yours truly,

VERMETTE & CO.

*per Clifford W. Vermette*  
per Clifford W. Vermette

CWV/jla/kjg  
encls.

**IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE**

In re the Application of:

Application No.: 10/530,014

International Appln: PCT/CA2003/001514

Title: MULTIPLE PLATE COMBUSTOR

Applicant: Mehrzad Movassaghi, et al.

Filing Date: October 1, 2003

Customer No: 32084

Attorney Docket No. 1491-148

---

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**DECLARATION OF CLIFFORD W. VERMETTE IN SUPPORT OF PETITION UNDER  
37 CFR 1.47**

I, Clifford W. Vermette, Patent Agent for Powertech Industries Inc., declare as follows:

1. I have been working with the Inventor, Mehrzad Movassaghi, for approximately 15 years and with the Applicant of the predecessor PCT Application, Powertech Industries Inc., for approximately 8 years.
2. On or about February, 1998, I received instructions from the Inventor to prepare and file a United States continuation-in-part application for a combustor having two plates each formed from spiral tubing, with the plates, enclosing a combustion chamber. This combustor is similar to the combustor of the present application except that the present one has multiple plates. A copy of an assignment from the Inventor to Powertech Industries Inc. is annexed hereto to this my Declaration and marked as Exhibit A.
2. On or about February 6, 2002, I met with the Inventor, Mehrzad Movassaghi in my office to discuss the present invention. A copy of my typewritten notes prepared immediately after our meeting and a copy of the notes of the Inventor are annexed hereto as Exhibit B and C to this my declaration. At the time, the Inventor, Mehrzad Movassaghi, was providing us with all instructions regarding the subject patent application.
3. On or about April 3, 2002, we received a facsimile letter from the said Inventor, Mehrzad Movassaghi, forwarding to me drawings for the predecessor PCT application. A copy of this facsimile is annexed hereto this my declaration as Exhibit D.

4. On or about July 10, 2002 my then associate, Orin Del Vecchio, had email correspondence with the said Mehrzad Movassaghi, a copy of which is annexed hereto as Exhibit E to this my declaration, concerning the filing of the parent PCT application.

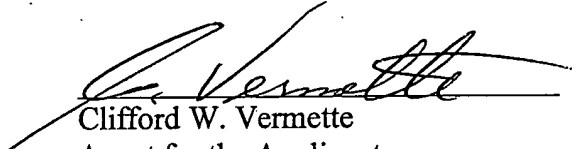
5. On or about October 29, 2003 the said Inventor, Mehrzad Movassaghi, executed a Power of Attorney document in respect of the predecessor PCT application. A copy of which is annexed hereto as Exhibit F to this my declaration, appointing our firm as agent for the United States, which also contained an appointment by Powertech Industries Inc. of our firm as agent for all countries other than the U.S. This document shows Powertech Industries Inc. to be the Applicant of the patent application in all countries other than the United States.

6. All of our firm's accounts have been paid by Powertech Industries Inc. since the preparation and filing of the aforesaid continuation-in-part application mentioned in paragraph 2 hereof including the preparation and filing of the parent Italian Patent Application for the invention herein.

7. It has always been my understanding that Powertech Industries Inc. was to own the Patent Application herein and all predecessor and subsequent applications related thereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Dec 15/05

  
Clifford W. Vermette  
Agent for the Applicant  
Reg. No. 30,018

Vermette & Co.  
Box 40 Granville Square  
Suite 230-200 Granville Street  
Vancouver, British Columbia  
V6C 1S4

Telephone: 604-331-0381  
Facsimile: 604-331-0382

Attorney Docket No. \_\_\_\_\_

### ASSIGNMENT

#### WHEREAS

Inventor: **Mehrzad Movassaghi**  
  
Address: **2316 West 13th**  
**Vancouver, British Columbia**  
**V6K 2S6 Canada**

This is Exhibit "A" referred to in the  
affidavit of Clifford W. Samuels  
sworn before me at Vancouver, BC  
this 15 day of December 2005

  
A Commissioner for taking Affidavits  
for British Columbia

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged by each of the undersigned, the undersigned agrees to assign, and hereby does assign, transfer and set over to

Assignee: **Powertech Industries Inc.**

Jurisdiction: **Province of British Columbia**

Address: **801-100 Park Royal South**  
**West Vancouver, British Columbia**  
**V7T 1A2 Canada**

all right, title and interest in the invention known as:

#### **PULSE COMBUSTOR AND BOILER FOR SAME**

for which the undersigned has executed a continuation-in-part application of U.S. Patent Application No. 08/563,917, filed November 29, 1995, proposed for filing in the United States of America concurrently herewith.

1. The undersigned agrees to execute all papers necessary in connection with the application and any continuing or divisional applications thereof or corresponding applications for filing in countries other than the United States of America and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.
2. The undersigned agrees to execute all papers necessary in connection with any interference, conflict or opposition which may be declared concerning this application or continuation or division or divisions thereof and to co-operate with the Assignee in every way possible in obtaining evidence and going forward with such interference, conflict or opposition.
3. The undersigned agrees to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

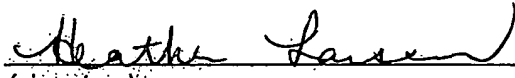
4. The undersigned agrees to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

5. The undersigned hereby authorizes and requests the Commissioner of Patents to issue any and all Letters Patent of the United States resulting from said application or continuation or division or divisions thereof to the said Assignee, as Assignee of the entire interest and hereby covenants that they have (he has) full right to convey the entire interest herein assigned and that they have (he has) not executed and will not execute, any agreement in conflict herewith.

SIGNED at Vancouver, British Columbia, Canada,  
this 20th day of April, 1998.

  
\_\_\_\_\_  
Mehrzad Movassaghi

WITNESS:

  
\_\_\_\_\_  
(signature)

Heather Larson  
\_\_\_\_\_  
(name - printed)

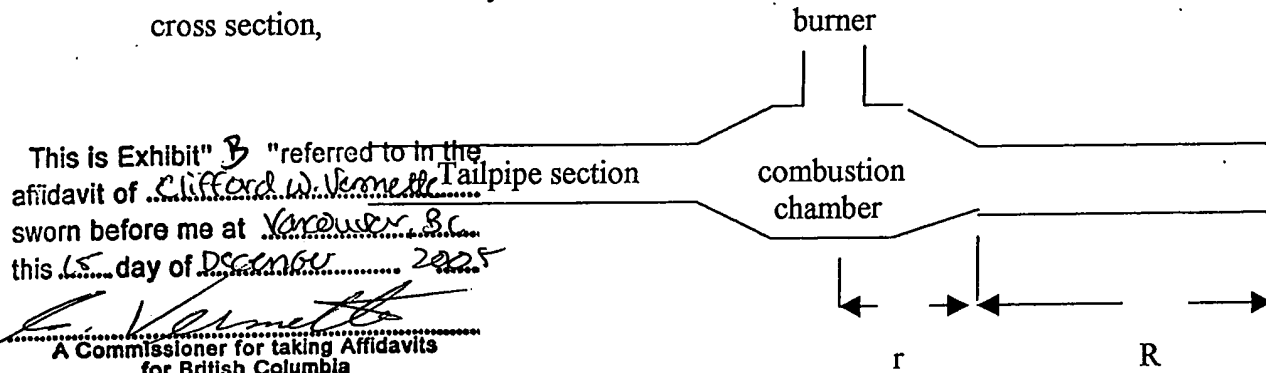
808-777 Carleton St. Vancouver, BC  
\_\_\_\_\_  
(address)

Legal Assistant  
\_\_\_\_\_  
(occupation)



## MULTIPLE PLATE COMBUSTOR

Dr. Movassaghi met with me to discuss the proposed new multiple plate combustor. The original two plate combustor is limited to 600,000 BTU's of heat generation. One cannot simply scale up the combustor and achieve higher gas/air input, larger combustion gas flow and higher heat transfer because the system is not scaleable. In the following sketch of the combustor in cross section,



it is the ratio of  $r/R$  that is critical to proper combustion. If the volume of the combustion chamber is too large then combustion will become less efficient and finally will not occur at all. If the spacing of the plates is too great, then the velocity of the gas will slow and operation will eventually cease. By putting one or more plates between the two outer plates one maintains the required spacing between plates but then gas distribution from the combustion chamber is not the same for each tailpipe section. One can adjust the spacing between the plates so that the gas flow down each tailpipe section is the same. This will result in the intermediate plate being closer to the bottom plate than it is to the top plate nearest the burner.

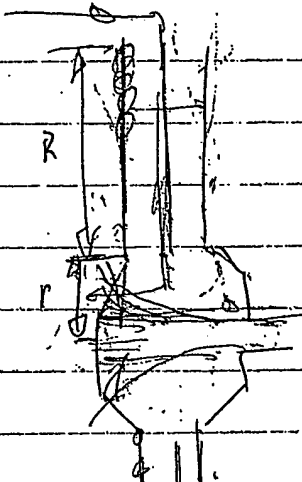
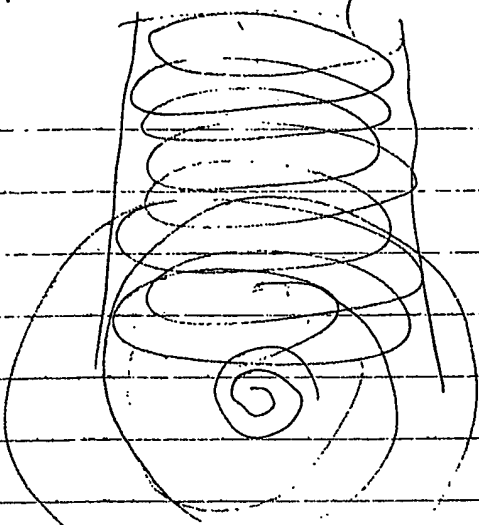
This method of tailpipe spacing adjustment as more and more intermediate plates are used becomes impractical after 3 intermediate plates are used (these 3 plus the 2 outside makes a 5 plate system). The heat generation by a two plate system is 600,000 BTU's/hr maximum. A 3 plate system produces a maximum of 1 million BTU's per hour while a 12 plate combustor produces a maximum of 4 million BTU's per hour. Typically the diameter of a combustor is 36 inches. The problem of adjusting the tailpipe widths for multiple tailpipes arises because the burner flame travels along the combustion chamber fanning out and striking the bottom plate or the plate that is furthest away from the burner. Ignited gas/air then travels back to the tailpipes. Depending upon the removal of ignited gas into the tailpipes the end plate can become very hot, particularly if all of the ignited gas goes into the tailpipe adjacent the bottom plate. To avoid the need to make the tailpipe gaps or widths from the bottom to the top tailpipe the right width, a cylindrical stainless steel burner having a plurality of nozzles may be used. In practice a cylinder of a diameter of about 5 inches and of a length of about 12 inches is fabricated with 6 equispaced lines of nozzles formed in the tube. The nozzles are formed by punching the material of the cylinder so that a cylindrical receptacle is punched into the stainless steel and then a hole drilled into the receptacle. The bottom of the tube extends just short of the bottom plate. Each set of holes at a particular length along the tube directs ignited gas into a corresponding tailpipe section. The size and positioning of the holes determines the divergence of the flame from the burner.

Clifford W. Vermette – February 6, 2002

This is Exhibit "C" referred to in the affidavit of Clifford W. Vermette sworn before me at Vancouver, BC this 15 day of December 2008

P/R

*Clifford W. Vermette*  
A Commissioner for taking Affidavits  
for British Columbia



1 2 3 10

3 2 12

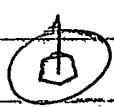
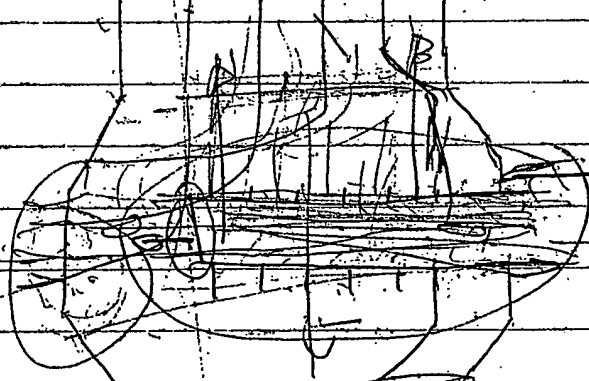
pm 5. 6m

16

600,000 Btu/hr

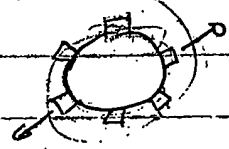
2 30 30m

80T



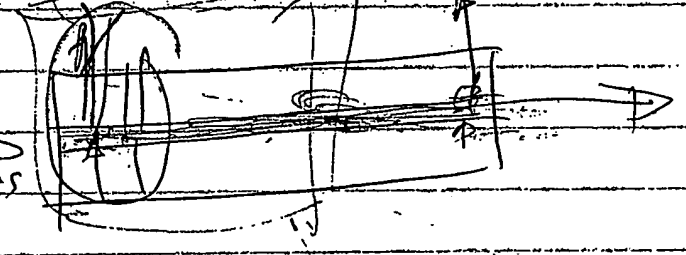
4

12 ppm



800 6m

6-6-4-4-4-4



air/805

Fluent 320,000 (200) (WS)

lease

874-4429



2019 -  
1491-142

This is Exhibit "D" referred to in the  
affidavit of Clifford W. Vermette  
sworn before me at Vancouver, BC  
this 15 day of December, 2005

**Fax Cover Sheet**

Clifford W. Vermette  
A Commissioner for taking Affidavits  
for British Columbia

DATE: 3 April 2002 FAX: 604-331-0302

TO: Mr. C. Vermette

COMPANY: Vermette & Co.

FROM: T. Tlovasaghi

RE: Drawings for Patent Text

Number of pages including cover sheet: 9

Message

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FIGURE 1 BURNER OR SPREADER COIL

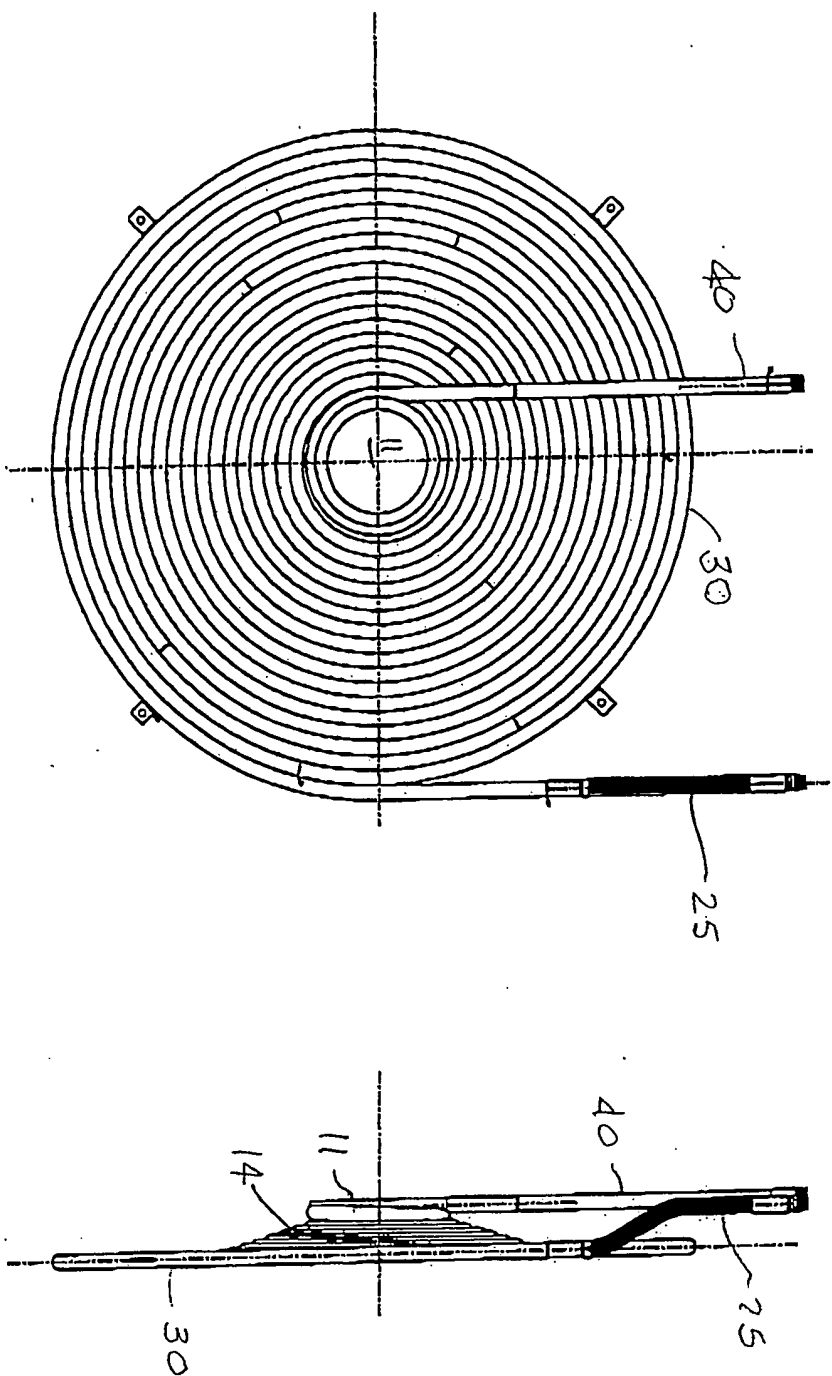


FIG. 2-A

FIG. 2B

REV.	DATE	BY	DESCRIPTION	REF.	FOR	SCALE	NTS	GASMASTER INDUSTRIES INC
					GMI 2M F	DATE: SEP 14/01		Blue 5, 15050 54A Avenue, Surrey, B.C. CAN
					BOILER SERIES	DRAWN: MR		Rear Coil Assembly
						CHK: OD		
						APPROVED: MC		
						DWG NO: GH2M.01.02.00 AD (W)		SHEET: 1 C

FIGURE 2 MIDDLE COIL

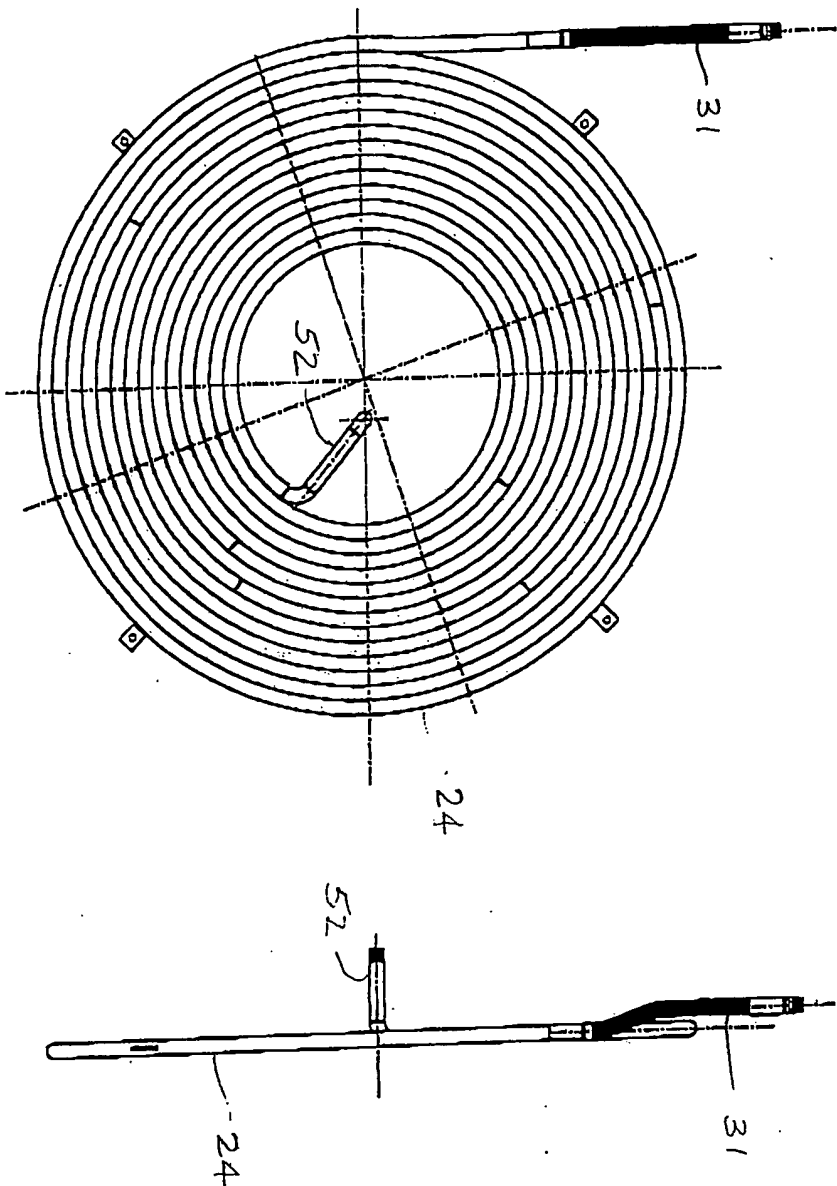


FIG 3A

FIG 3B

REV.		DATE	BY	DESCRIPTION	CRN	FOR:	SCALE	NTS	GASMASTER INDUSTRIES IN Bldg 5, 15000 54A Avenue, Surrey, B.C. C
1	SEP 27/01	00		ADDITION WELD ADDED.		GMI 2M F BOILER SERIES	DATE	SEP 14/01	Middle Coil #3 Assembly
							DRAWN	MR	
							CHK	00	
							APPROVED	MC	
							DWG/NO	GMI2M.01.05.00 AD (VP)	SHEET: 1

FIGURE 3 COIL ASSEMBLY

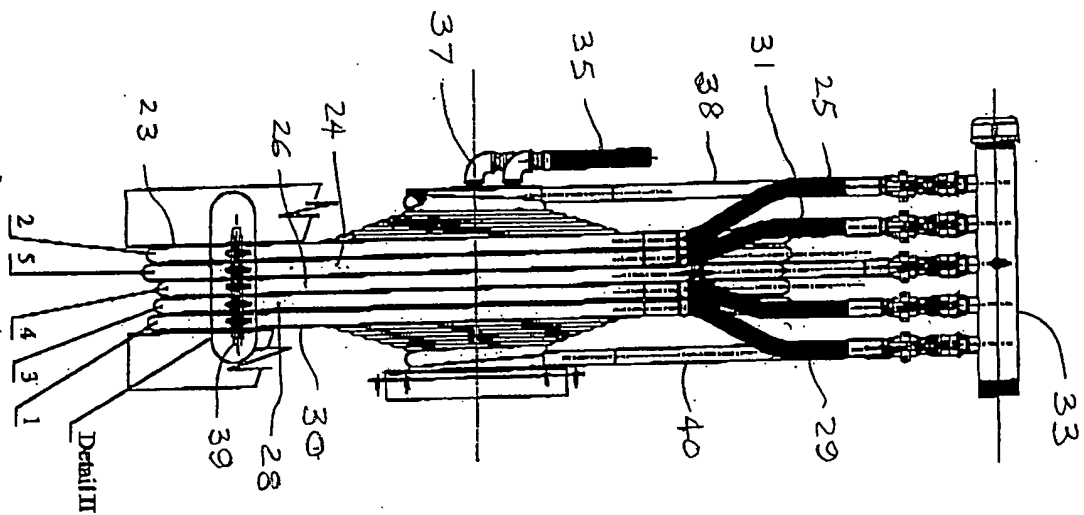
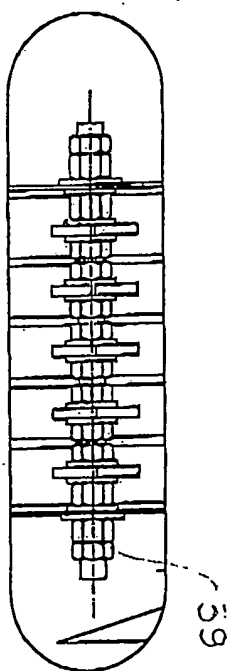


FIG. 4A



Detail "T"

FIG 4B

REV.	DATE	BY	DESCRIPTION
3			
2			
1			

REF.	FOR

GMI 2M F BOILER SERIES
---------------------------

SCALE	NTS												
DATE	SEP 14/01	GASMASTER INDUSTRIES INC Bldg 5, 15050 54A AVENUE, SUITE 2, C.D.											
DRAWN	MR	Heat Exchanger Assembly											
CHK	OD												
APPROVED	MC	DWGNO.	GM2M.01.00.00 AD (F)									SHEET	10

ITEM	QTY	DESCRIPTION	DWG OR F
5	1	MIDDLE COIL #3 ASSEMBLY	GM2M.01.05.0C
4	1	MIDDLE COIL #2 ASSEMBLY	GM2M.01.04.0C
3	1	MIDDLE COIL #1 ASSEMBLY	GM2M.01.03.0C
2	1	REAR COIL ASSEMBLY	GM2M.01.02.0C
1	1	FRONT COIL ASSEMBLY	GM2M.01.01.0C

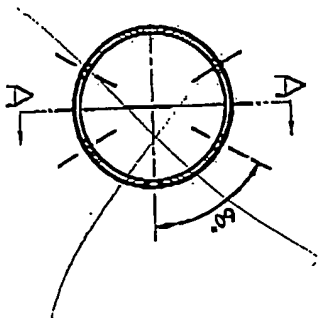


Technical drawing of Section A-A of a mechanical component. The drawing shows a cross-section of a rectangular frame with dimensions and a section line.

- Overall width: 22.000
- Overall height: 12.750
- Section line: 0.250X45°
- Section line: 15
- Section line: 1.575
- Section line: 1

SECTION A-A

FIG. 6B



0.500±0.000  
6 SLOTS

R0.25

Ø5.150<sup>+0.0025</sup><sub>-0.0000</sub>

1.000

0.175X45°

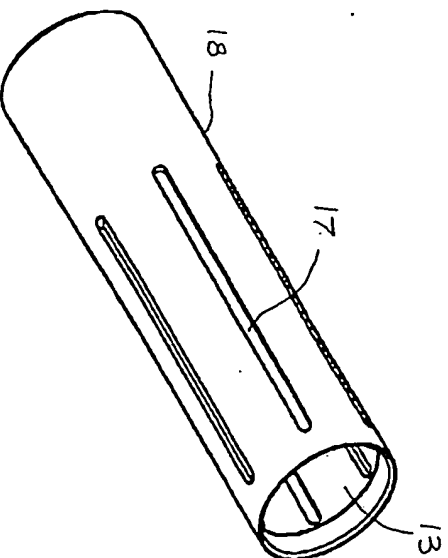


FIG. 6A

VIEW 1

		REF:	FOR:	SCALE: NTS	GASMASTER INDUSTRIES IN Bldg 5, 15060 81st Avenue, Sorey, B.C., CAN.
			GMI 4M	DATE: DEC-03/01	Burner Head Pipe
			BOILER SERIES	DRAWN: OO	
				CHE: MC	
				APPROVED: MC	DWGNO: GMI/M-02-01.01
REV.	DATE	BY	DESCRIPTION	CRTD:	SHEET: 1



NOZZLE STRIP

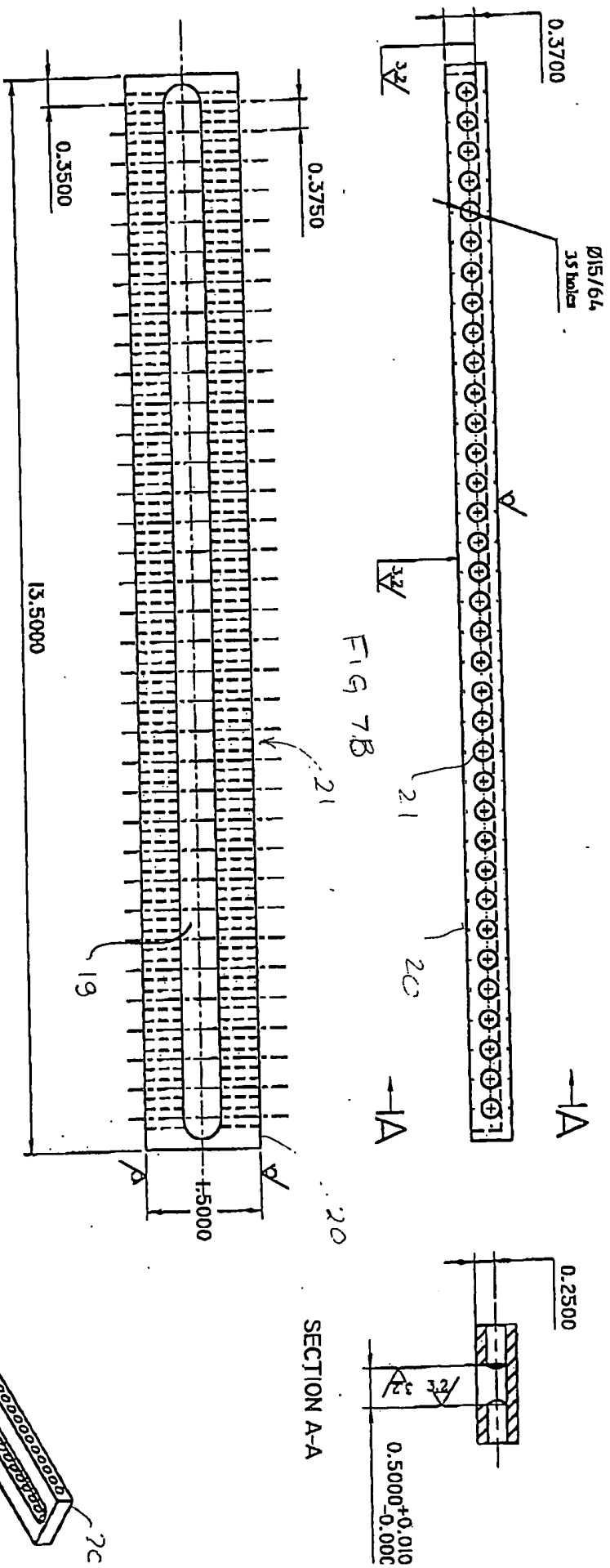
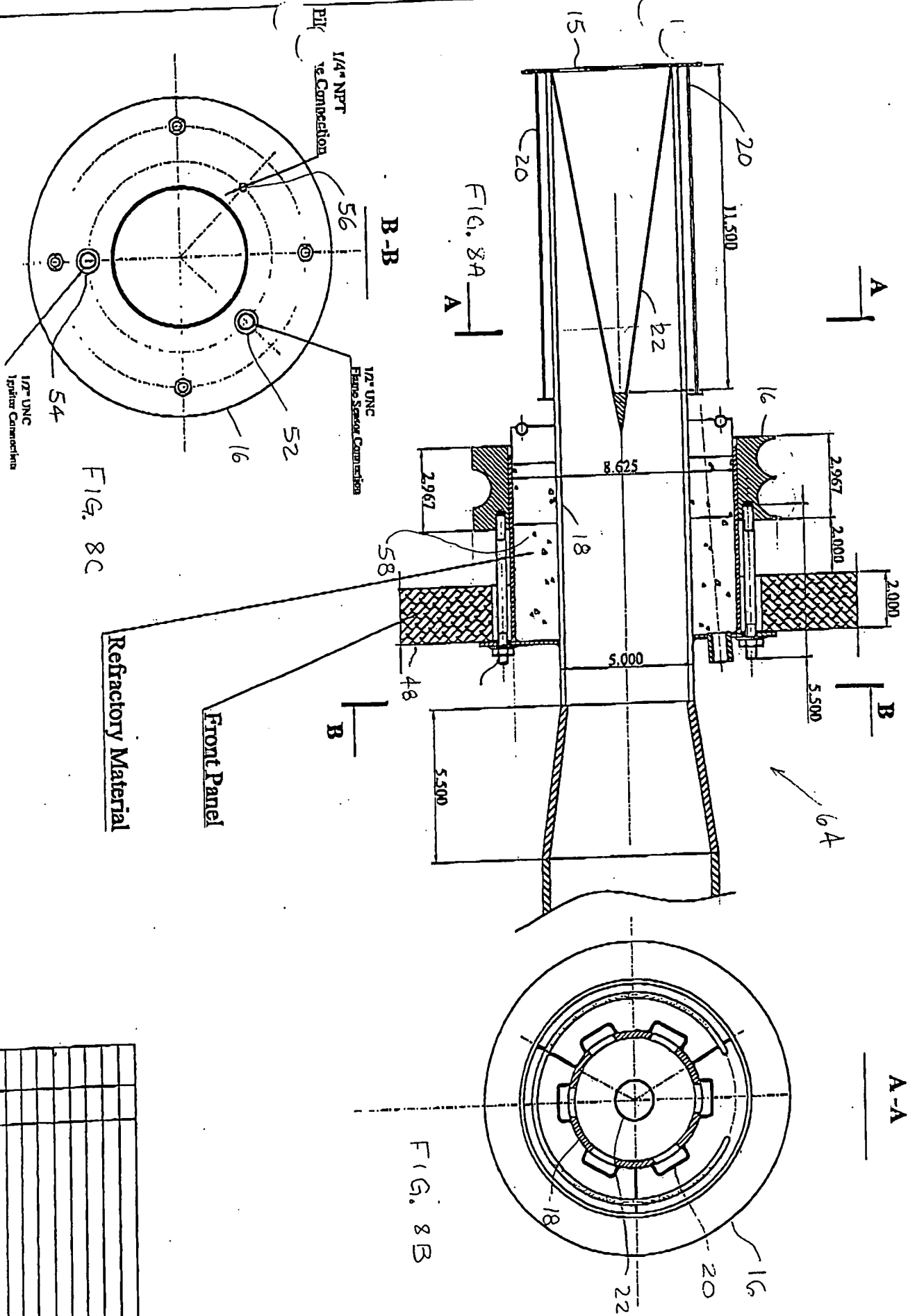


FIG 7A

MTL: Flat Bar 3/4" x 1-3/8", TP310 Stainless Steel, ASTM A-276

		REF:		FOR:		SCALE: NTS		GASMASTER INDUSTRIES INC	
				GM1 LM		DATE: DEC 03/01		Bldg 5, ISOCO S/LA Avenue, Somerset, B.C., CAN	
				BOILER SERIES.		DRAWING: 00		Nozzle	
						CHK: MC		1/	
		CIRN:				APPROVED: JMC		BY: GCHM, 02 01 02	
REV.		DATE		BY		DESCRIPTION		SHEET: 1 OF 1	

Burner Assembly[illegible]



## Orin Del Vecchio

From: Mehrzad Movassaghi [mmovassaghi@gasmaster-ind.com]  
Sent: Wednesday, July 10, 2002 8:42 AM  
To: Orin Del Vecchio  
Subject: Re: Multiple Plate Combustor Patent (1491-142)

This is Exhibit "C" referred to in the  
affidavit of Clifford W. Vermette  
sworn before me at Vancouver, B.C.  
this 15 day of December 2002

  
A Commissioner for taking Affidavits  
for British Columbia

Dear Mr. Vecchio:

I apologize for the delay in response. The text is fine. Quite frankly, I was under the impression that this had already been filed, until yesterday that I was told by Michael you were awaiting my response.

Thanks.

----- Original Message -----

From: Orin Del Vecchio <odelvecchio@vermetteco.com>  
To: Mehrzad Movassaghi (E-mail) <mmovassaghi@gasmaster-ind.com>  
Sent: Wednesday, May 01, 2002 12:03 PM  
Subject: Multiple Plate Combustor Patent (1491-142)

> Hello Dr. Movassaghi,  
>  
> I have attached a copy of the patent application revised according to our  
> discussion yesterday morning. The copy attached is a tracked version so  
> you  
> can see where the changes have been made. The drawings have not been  
> changed, except that in Figure 8A we have redrawn the cone to be parabolic  
> instead of triangular.  
>  
>  
> Please review the changes and confirm that they match with what we  
> discussed. If you have any further changes, you may incorporate them into  
> the existing document or advise me and I will make the change myself.  
>  
> Once the application meets with your approval, we will proceed with filing  
> in Italy as per your instructions to Mr. Vermette.  
>  
> If you have any questions or concerns, please do not hesitate to contact  
> our office.  
>  
> Regards,  
>  
> Orin Del Vecchio, Barrister and Solicitor  
> Vermette & Co.  
> Vancouver, BC, Canada  
> Tel: (604) 331-0381  
> Fax: (604) 331-0382  
> email: odelvecchio@vermetteco.com  
> This message is confidential, intended only for the person to whom it is  
> addressed and may contain information that is privileged and exempt from  
> disclosure under applicable law. If you have received this message in  
error,  
> please notify us by return email and delete this message without making a  
> copy.  
>  
>

**POWER OF ATTORNEY**  
(for an international application filed under the Patent Cooperation Treaty)

(PCT Rule 90.4)

The undersigned applicant(s) (Names should be indicated as they appear in the request)  
**POWERTECH INDUSTRIES INC.** (for all designated states except the  
United States )  
**MOVASSAGHI, Mehrzad** (for the US only)

hereby appoints (appoint) the following person as ☒ agent ☐ common  
representative

**Name and address**

(Family name followed by given name; for a legal entity, full official designation. The address must include postal  
code and name of country)

VERMETTE & CO.  
P.O. Box 40, Granville Square  
230 - 200 Granville Street  
Vancouver, British Columbia  
Canada, V6C 1S4

This is Exhibit "F" referred to in the  
affidavit of Clifford W. Vermette  
sworn before me at Vancouver, B.C.  
this 15 day of December 2005

Clifford W. Vermette  
A Commissioner for taking Affidavits  
for British Columbia

to represent the undersigned before all the competent international Authorities in  
connection with the international application identified below:

Title of Invention: **MULTIPLE PLATE COMBUSTOR**

Applicant's or agent's file reference: **1491-143**

International application number (if already available):

filed with the following office Canada as receiving Office and to  
make or receive payments on behalf of the undersigned.

**Signature of applicant(s)** (where there are several applicants, each of them must sign; next to each  
signature indicate the name of the person signing and the capacity in which the person signs, if such capacity is not  
obvious from reading the request or this power);

**POWERTECH INDUSTRIES INC.**

By: [Signature] Director  
(signature, title)

[Signature]  
**MEHRZAD MOVASSAGHI**

Oct. 29/03  
Dated

Oct. 24/03  
Dated